IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 401 OF 2006

SHRI TRIVIKRAM R. KAMAT AND 2 ORS., ...Petitioners

Versus

SHRI PRATAPSINGH RAOJI RANE AND 5 ORS., ...Respondents

Mr. V.R. Tamba,Advocate for the Petitioners.
Mr. S. S. Kantak, AG with Mr. M. Salkar, AGA for Respondent nos. 1 to 5.
Mr. M. S. Usgaonkar, Senior Advocate for Respondent no.6.

Coram:- J. N. PATEL &
N. A. BRITTO, JJ.

Date:- 11th December, 2006

P.C.

The petitioner challenges the earlier decision of the respondent to dissolve the Managing Committee of Society, which finds place at page 34 of the record,which relates to the endorsement "In view of the representation made by the President and Secretary by Navadurga Saunsthan, Madkai, dated 31.05.2006, 41-C, it is felt that the notice as proposed at P/6N is no longer necessary. Signed, the Chief Minister, 1/6/06.", on the ground that respondent has taken that decision overruling his earlier decision in the matter without spelling out any reasons and further that the illegalities and irregularities pointed out by the petitioner, which finds place in the report of the Mamlatdar, have not been taken into consideration while taking the impugned decision. Mr. Kantak, the learned AG after seeking instructions from respondent no.1 states that the State would take afresh decision in the matter after considering the record and pass a speaking order. It is submitted that a fresh decision in the matter would be taken within a period of six weeks from today. The

petitioner and respondent no.6 would be at liberty to file and furnish documents/all relevant information necessary for taking proper decision in the matter. It shall be filed within a week's time from today and the State would take it into consideration such documents and information made available to it by the respective parties for the purpose of taking a decision.

2. In view of the statement made by the learned AG, the challenge to the impugned decision does not survive as such, the petition is disposed of on the basis of the statement made by the learned AG, which is accepted as an undertaking to this Court given by the respondents.

3. Petition disposed of accordingly.

Authenticated copy be furnished to the learned AG.

J. N. PATEL, J.

N. A. BRITTO, J.

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